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OFFICE OF COMPLAINTS  
EXAMINATION

December 30, 2014

**BY OVERNIGHT MAIL AND FACSIMILE**

**FAX: (202) 219-3923**

Frankie D. Hampton, Paralegal  
Office of Complaints Examination and Administration  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Re: MUR 6888 – Complaint Against Doug Ose for Congress and Vona Copp,  
Treasurer

Dear Ms. Hampton:

The undersigned Designated Counsel for the Doug Ose for Congress Committee and Vona Copp, its Treasurer, respectfully requests that the Commission take no further action in this matter.

The complaint alleges (without any support) that a number of other entities, including the Republican National Committee, the Data Trust, American Crossroads, and American Crossroads GPS engaged in illegal coordination in the 2014 elections. The complaint identifies i360, LLC, with which the Ose Committee contracted to receive data services in connection with its 2014 campaign, and alleges that i360, LLC was a common vendor to certain independent expenditure committee(s) that made independent expenditures in support of, or in opposition to, a number of federal campaigns, including that of Doug Ose, for purposes of the FEC's coordination standards. The complaint alleges that the independent expenditure committees violated the contribution limits applicable to federal campaigns. (See, 52 U.S.C. § 30116; see also, 11 CFR § 109.21.)

There is no allegation in the complaint to support any such contention (if it had been made) of exchange of information between any independent expenditure committee and the Ose Committee, or that the commercial vendor was a conduit, or was used, or conveyed to the person paying for a communication [material information about the candidate's campaign]. (See, 11 CFR § 109.21 (d)(4)(iii)(A) or (B).)

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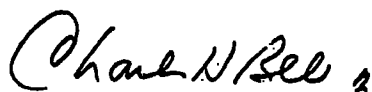
The Ose Committee did not have any "material involvement" in the activities of any independent expenditure committee. The FEC's coordination regulations, and the conduct standard, define the term "material involvement" to mean that a "candidate ... is materially involved in the decisions regarding the content, the intended audience, the means or mode, the duration, the specific media outlet used, the timing or frequency, or the size or prominence of the communication." (See, 11 CFR § 109.21(d)(2)(i)-(v).) The FEC has said that the term "materially involved in decisions" only encompasses interactions "that are important to the communication" itself and, thus, excludes "incidental participation that is not important to, or does not influence, decisions regarding a communication." (See, Rules and Regulations, 68 Fed. Reg. 431, at p. 433 (Jan. 03, 2003).)

The FEC stated in adopting the coordination rules in 2003 that the common vendor element does not create a presumption of coordination whenever a candidate shares the same vendor as the other group. Instead, the rules cover only those situations in which the common vendor acts as a conduit of inside information from the candidate's campaign and transmits that information in a way that becomes useful to the interest groups that engage in spending in support of the candidate.

The Ose Committee denies that it had any material involvement with any independent expenditure committee through the i360, LLC – contracted activity, nor to its knowledge did i360 act as a conduit for the Ose Committee's plans, projects or activities for any independent expenditure activity in support of Doug Ose or in opposition to his opponent.

Please feel free to contact us if you have any further questions.

Very truly yours,



Charles H. Bell, Jr.  
Designated Counsel

CHB/cfd